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March 4, 2025

BY ECF

Hon. Mary Kay Vyskocil
United States District Judge
Southern District of New York
500 Pearl Street, Room 2230
New York, NY 10007

**Re: Andujar *et al.* v. SKYC Management LLC *et al.*
Case No. 23-cv-08764(MKV)(KHP)**

Dear Judge Vyskocil:

We represent the representative plaintiff, Victor Andujar (“Mr. Andujar”), and the four opt-in plaintiffs (collectively, “Plaintiffs”), in the above-referenced matter, which was brought to recover unpaid minimum and overtime wages under the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. (“FLSA”) and New York Labor Law, Section 650 et seq. (“NYLL”).

Pursuant to Your Honor’s Order dated February 19, 2025, Plaintiffs’ motions for leave to file an amended complaint and for final certification of a collective under the FLSA are due on March 6, 2025 [ECF No. 73]. With Defendants’ consent, Plaintiffs request that the foregoing deadline, and all concomitant briefing deadlines, be extended by two weeks. This would result in the following, revised briefing schedule pursuant to Local Rule 6.1(b): Motion: March 20, 2025; Opposition: April 3, 2025; and Reply: April 10, 2025. Plaintiffs request this extension because despite our best efforts, due to our workload and deadlines, Plaintiffs’ counsel is unable to complete the motion papers within the time period ordered by the Court.

In addition, Plaintiffs’ pre-motion letter dated February 17, 2025 [ECF No. 71], described two categories of proposed amendments to the Complaint, namely: adding the opt-in plaintiffs to the caption and asserting NYLL claims on their behalf; and adding NYLL gap-time claims on behalf of all Plaintiffs. Plaintiffs wish to expand the relief they seek by adding the following request to their motion to amend: adding four entities controlled by Defendants (ones that hold title to the buildings where the opt-in plaintiffs are employed) as Defendants. Adding these entities, which nominally hold title to the buildings on Defendants’ behalf, will not change or

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add to the substance of Plaintiffs' allegations. Defendants consent to the proposed change to Plaintiffs' motion to amend.

We appreciate the Court's attention to this request.

Respectfully submitted,




Marc A. Rapaport

cc: All Counsel of Record (via ECF)

Granted. SO ORDERED. No further extensions will be granted, and failure to file by March 20, 2025 will be a waiver of the opportunity to move.

Date: March 10, 2025
New York, New York


Mary Kay Vyskocil
United States District Judge